IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 15265 of 2004

Between:

T. Ganapathi Rao S/o. Suryanarayana
Gottamangalapuram, Srikakulam District.

..... PETITIONER

AND

1 The Transmission Corporation of A.P., Ltd., Chairperson and M.D., Vidyut Soudha, Hyderabad.
2 The Chairman & Managing Direactor, APSEPDCL, Visakhapatnam.
3 The Supt Engineer, Operation Circle, EPDCL., Srikakulam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue any appropriate writ, order or direction preferably a writ in the nature of Writ of Mandamus, declaring the action of the respondents in not considering the candidature of the petitioner to the post of Junior Lineman despite he being interviewed as being illegal, arbitrary and violative of orders of this Hon'ble Court made in CC.No.1267/99 in W.P.No.1580/99 and consequently direct the respondents to consider the petitioner to the post of Junior Lineman Created in the order issued by the 1st respondent in T.O.O.(CGM HRD) Ms.No.262 (Personnel Services) Dt. 10.2.2004.

Counsel for the Petitioner: MR.M.VISWANADHAM

Counsel for the Respondents: M.V.SUBBARAO, SC FOR APEPDCL

The Court at the admission stage made the following:

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ORDER:

The petitioner contends that he worked as a contract labour for a period of seven years under a licensed contractor of the 1st respondent Corporation. He possessed Post Graduation in Commerce and I.T.I qualifications. The petitioner further contends that in pursuance of the earlier directions of this Court, he appeared for an interview on 20.06.1998 in terms of B.P.Ms.No.36, dated 18.05.1997 for the post of Junior Lineman and other equivalent post. The petitioner claims that he is eligible for the post of Junior Lineman by virtue of his educational qualification.

2. The grievance of the petitioner is that the 3rd respondent did not consider his candidature on some pretext or other. He was also interviewed by the 3rd respondent and a speaking order was issued on 20.07.2000 mentioning that on verification of the certificates, produced by the petitioner at the time of interview on 20.06.1998, it was noticed that the service certificate has not been authorized by the A.P.Transco officials as clarified in A.P.Transco Memo No.Addl.Secy/DGM (IR) AS (IR) P.O.11/A1/1170/99, dated 03.12.1999. The petitioner is contending that such condition was not envisaged in B.P.Ms.No.36. Despite that, he obtained an authorization, immediately after the objection raised by the 3rd respondent.

3. The petitioner is contending that the Transmission Corporation issued an order, covered by T.O.O. (CGM-HRD) Ms.No.262, dated 10.02.2004, according sanction for formulating 11 new Rural Operation Stations in the Operation Circle of Srikakulam, and the respondents are proposing to recruit 44 Junior Linemen out of total 77 vacancies in all categories, and unless there is a direction from this Court, the 3rd respondent will not permit the petitioner to sit for the examination and to appear for the interview. Therefore, he approached this Court, seeking a direction to that effect.

4. In the light of the circumstances explained by the petitioner, the respondents

are directed to consider the request of the petitioner to sit for the examination in the ensuing recruitment for the post of Junior Lineman, if he is not otherwise disqualified.

5. The Writ Petition is, accordingly disposed of. No order as to costs.

dsr/rns

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1.The Chair Person and Managing Director,
The Transmission Corporation of Andhra Pradesh Limited,
Vidyut Soudha, Hyderabad

2. The Chairman & Managing Director,
A.P.E.P.D.C.L.,Visakhapatnam

3. The Superintending Engineer,
Operation Circle, E.P.D.C.L.,
Srikakulam

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